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ANNUAL STATEMENT
OF THE
COUNTY COURT OF
ALLEGHENY
COUNTY



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ANNUAL STATEMENT OF THE COUNTY COURT

The Annual Statement of business transacted in the County Court, herewith published, reveals some interesting facts.

The total number of suits in assumpsit brought in 1913 was 2,484, as compared with 2,645 in 1912, and this although the jurisdiction of the Court was increased to \$1,500.00 from \$600.00 in April, 1913. This shows a falling off in the number of small contract cases, which may be traced to two causes: first, the natural *diminution* of litigation due to the existence of a court prompt in its procedure and up to date in its work, and second, the increased value of the judgment of the justice of the peace now that appeals from such judgments go to the County Court by the Act of 1913 and are disposed of without delay. Thus the existence of this Court has made not only for the prompt disposal of existing business, but has actually had a potent influence in *keeping cases out of court*.

The trespass cases have increased from 408 in 1912 to 582 in 1913. This is due to the increase in the jurisdiction above referred to, which admits of a much wider range of damage suits.

The number of appeals from justices is noteworthy, amounting to only 364 since the Act of 1913 went into effect. This averages about 73 cases per month, as the appeals did not commence to be filed in any quantity before August 1st, 1913.

The approximate average number of such appeals filed in the Common Pleas Court monthly was, in 1909 (before the creation of the County Court) 270, and, in 1912, 136. This indicates the enormous proportion of such appeals formerly filed merely for delay. The disposition of these appeal cases in the County Court is also instructive; out of 364 cases filed 73 have been non-prossed, 36 settled, and in 20 judgments by default have been entered. In other words, over a third of these cases have been disposed of without trial and about half of the remainder are still awaiting trial, largely because of the fact that the parties have had the day of hearing postponed. It seems fair to infer that not much more than half of these appeal cases will come to actual trial in this Court, thus reducing the number of contested appeal cases in the whole county to about 35 or 40 per month.

The record of cases disposed of shows that the Court is fully abreast of its work, having tried some 2,198 cases in open Court or about 440 to each Judge. The jury cases are commencing to occupy a considerable part of the Court's time, two Judges having been almost constantly occupied with such trials since October 1st, 1913.

The proportion of appeals taken from the judgments of the Court shows a gratifying decrease over the figures of 1912, having fallen from 10% of all civil suits instituted in that year to 7½% of such suits instituted in 1913. This decrease is principally due to the great falling off of appeals in jury trials since the approval of the Act of May 23rd, 1913, requiring special allowance of the common pleas court for such appeals, only one appeal having been so allowed from the passage of the act to January 1st, 1914.

The percentage of appeals in contested non-jury cases has also fallen from 30% in 1912 to 26% in 1913.

It is interesting to note the subsequent history of these appeals in the Common Pleas Court—out of 107 appeals filed from the 1911 docket of the County Court, 26 were settled and 19 have been apparently abandoned, thus nearly half of the number have been disposed of without trial, and it is fair to presume that a considerable proportion of the remainder will be either settled or dropped before coming to actual trial.

Of the appeals filed subsequent to 1911 the record of disposal is as yet meager, but of 344 cases appealed from the 1912 docket of the County Court, 42 have been settled and 81 apparently dropped as nothing has been done in them for over a year.

The record of such appeals as have been finally disposed of in the Common Pleas Court shows that 42% have been settled and 58% determined either by verdict, award or judgment of the Court. Of those contested, in about 40% of the cases the appellant secured a more favorable judgment than that of the County Court, while in about 60% the judgment was less favorable. In other words the appellant has been successful in one case in every five cases appealed.

The individual record of the Judges shows a comparatively equal distribution of the work done and results obtained, and is an interesting innovation for public information.

DESERTION AND NON-SUPPORT CASES.

These have increased in 1913 to 906 from 738 filed in 1912. The report of the probation officer shows over \$72,000 collected in these cases in 1913 as against some \$28,000 in 1912. Under the Act of 1913 prisoners confined in the workhouse have yielded their families some \$1,682, in about five months; from the increase of these figures from month to month it would seem that the workhouse cases will yield in 1914 probably \$7,000 or \$8,000. This is a marked contrast with the former system where incarceration in the County Jail yielded the defendant's family nothing.

A notable feature of this work has been the individual attention paid to the cases and the great number of reconciliations effected. The probation officer's report shows such reconciliations in a great majority of the cases closed on his books, while the secretary's report shows 88 couples reconciled out of 696 cases upon which she was specially engaged. The report of the secretary in these desertion cases shows an enormous amount of detailed work, including over 2,500 visits and over 2,700 interviews during the year. Employment has been secured and the co-operation of various public and charitable organizations enlisted in numerous cases.

Full records of all work done and information obtained are kept in each case, and it has been the policy of the Court to so distribute these cases that each case coming up for further hearing is assigned to the Judge making the original order, so that his personal knowledge of the facts and parties may be utilized.

Upon the showing made in this report credit is reflected on the clerk for the careful statistical information thus compiled, and the County is to be congratulated on having secured what seems to be a solution of the problem of getting its litigation disposed of in a prompt and effective manner.

REPORT OF WILLIAM B. KIRKER, CLERK, SHOWING THE BUSINESS
OF THE COUNTY COURT OF ALLEGHENY COUNTY.
JANUARY 1ST, 1914.

Number of cases entered—	Aug. 1, 1911 to Jan. 1, 1912	Jan. 1, 1912 to Jan. 1, 1913	Jan. 1, 1913 to Jan. 1, 1914
Assumpsit	748	2645	2484
Trespass	135	408	582
Replevin	13	44	83
Attachment execution			26
(Since April 3, 1913)			
Appeals from Justices of the Peace.....			364
(Since July 1, 1913)			
Miscellaneous	21	18	21
	<u>917</u>	<u>3115</u>	<u>3560</u>
Desertion and non-support.....	383	738	906
Appeals from summary convictions.....	45	123	107
	<u>1345</u>	<u>3976</u>	<u>4573</u>

CIVIL CASES DISPOSED OF AS FOLLOWS:

	1911 & 1912	1913	1913 appeals
Entered in 1911.....	917		
Entered in 1912.....	3115		
Entered in 1913 (less appeals).....		3196	
Old cases reopened, 1913.....		34	
Old cases pending, Jan. 1, 1913.....		237	
Appeals from Justices, 1913.....			364
	<u>4032</u>	<u>3467</u>	<u>364</u>
Returned N. E. I.	159	126	
Miscellaneous rules and orders.....	38	21	
Discontinued	51	23	1
Settled and discontinued.....	603	535	36
Non-suited	24	36	
Non-crossed	98	132	73
Judgments by default.....	1609	1179	20
Judgments by agreement.....	19	29	2
Tried, non jury.....	981	680	97
Tried with jury.....	213	248	10
Pending	*237	*458	*125
	<u>4032</u>	<u>3467</u>	<u>364</u>

*This includes suits instituted prior to December 31st, in which the time for hearing had not arrived, also cases adjourned at request of litigants. No cases undisposed of on account of pressure of business.

CONTESTED CASES HEARD IN OPEN COURT:

	1912	1913
Civil cases, non jury,	744	777
Civil cases, jury trials,	184	258
Desertion and non-support,	738	*829
Appeals from summary convictions,	123	84
	<hr/> 1789	<hr/> 1948
Judgments by default, non-suit, etc.,	1234	1471
	<hr/>	<hr/>
Total number of judgments entered,	3023	3419
	<hr/>	<hr/>
Total number of appeals perfected,	303	266
	<hr/>	<hr/>

*In addition to the above about 250 old desertion and non-support cases were up for hearing.

THE STATUS OF ALL APPEALS from the organization of the Court to January 7th, 1914, as the same appears on the records of the COMMON PLEAS COURT is as follows:

	County Court 1911 Docket	County Court 1912 Docket	County Court 1913 Docket	Total
Discontinued,	1	0	0	1
Settled and discontinued,	25	42	6	73
Stipulation filed,	0	7	6	13
Statement filed,	1	8	5	14
Defense filed,	3	5	3	11
Plea filed,	2	7	2	11
Plea & Praecipe for Issue,	24	133	80	237
Arbitrated,	6	4	2	12
Rule absolute,	3	2	3	8
Rule pending,	0	6	3	9
Judgment for plaintiff,	1	13	4	18
Non Pros.,	2	5	3	10
Voluntary non-suit,	0	1	0	1
Feigned issue,	1	0	0	1
Satisfied,	6	12	1	19
Nothing done,	19	81	76	176
Jury verdict,	12	17	0	29
Struck off,	1	0	0	1
Appealed to Superior Court,	0	1	0	1
	<hr/> 107	<hr/> 344	<hr/> 194	<hr/> 645

	1912	1913
Proportion of civil suits tried without jury to all civil suits entered,	24%	24%
Proportion of civil suits tried by jury,	6%	8%
Proportion of appeals to total number of civil suits instituted,	10%	7½%
Proportion of default judgments appealed,	2%	2%

	1912	1913
Proportion of judgments on verdicts appealed (29 of such appeals taken before and 1 after the approval of the appeal act of 1913),	25%	12%
Proportion of judgments in non-jury cases appealed,	30%	26%
Proportion of appeals to number of contested cases,		
Assumpsit,	30%	29%
Trespass,	40%	19%

Appeals taken to the Common Pleas Court have been finally disposed of in the following manner:

Non jury cases:

Appellant secured a less favorable result on judgment of Common Pleas Court,	13%
Appellant secured a less favorable result on verdict or award,	20%
Appellant secured a more favorable result on judgment of Common Pleas Court,	9%
Appellant secured a more favorable result on verdict or award,	10%

Jury cases:

Appellant secured a less favorable result on judgment of Common Pleas Court,	0%
Appellant secured a less favorable result on verdict or award,	2%
Appellant secured a more favorable result on judgment of Common Pleas Court,	1%
Appellant secured a more favorable result on verdict or award,	3%

Non jury cases settled,	38%
Jury cases settled,	4%
	<hr/> 100%

INDIVIDUAL RECORD OF COUNTY COURT JUDGES.

	1912	1913	Total
Way, P. J.			
Civil cases tried, non jury,	158	208	366
Civil cases tried with jury,	52	11	63
Desertion and non-suuport cases tried,	166	221	387
Appeals from summary convictions tried,	29	28	57
Non jury cases appealed,	46	49	95
Jury cases appealed,	14	3	17
Kennedy, J.			
Civil cases tried, non jury,	200	173	373
Civil cases tried with jury,	30	53	83
Desertion and non-support cases tried,	143	132	275
Appeals from summary convictions tried,	35	22	57
Non jury cases appealed,	74	50	124
Jury cases appealed,	13	8	21

	1912	1913	Total
McKenna, J.			
Civil cases tried, non jury,	129	115	244
Civil cases tried with jury,	43	65	108
Desertion and non-support cases tried,	131	186	317
Appeals from summary convictions tried,	12	17	29
Non jury cases appealed,	40	30	70
Jury cases appealed,	8	7	15

Miller, J.			
Civil cases tried, non jury,	146	150	296
Civil cases tried with jury,	33	76	109
Desertion and non-support cases tried,	113	78	191
Appeals from summary convictions tried,	11	10	21
Non jury cases appealed,	39	36	75
Jury cases appealed,	8	7	15

*Drew, J.			
Civil cases tried, non jury,	105	132	237
Civil cases tried with jury,	29	52	81
Desertion and non-support cases tried,	110	213	323
Appeals from summary convictions tried,	15	8	23
Non jury cases appealed,	23	35	58
Jury cases appealed,	4	5	9

*Note: Judge Drew was absent on account of illness from January 1, 1912, to June 15th, 1912.

REPORT OF PROBATION OFFICER IN DESERTION AND NON-SUPPORT CASES.

To the Honorable Judges of the County Court of Allegheny County, Pa.

Gentlemen: I beg leave to submit a brief report of the work entrusted to the Probation officer by your Honorable Court during the year 1913, showing a comparison with that of the previous year:

DESERTION AND NON-SUPPORT CASES RECEIVED FROM COUNTY COURT.

1911 (Dec. 8th to Dec. 31st)	35	
1912	493	
1913	604	
	—	1132

CASES ACTIVE JANUARY 1ST, 1914.

1911	10	
1912	170	
1913	390	
	—	570

COMPARATIVE STATEMENT SHOWING MONEYS RECEIVED DURING
THE SEVERAL MONTHS OF THE YEARS 1912 AND 1913.

January,	\$ 409.50	\$4,242.00
February,	701.98	4,334.82
March,	1,082.33	4,532.92
April,	1,540.00	4,651.75
May,	1,977.55	4,981.84
June,	2,307.30	5,265.17
July,	2,686.50	6,197.47
August,	2,839.21	6,581.48
September,	3,003.00	7,002.15
October,	3,581.00	8,417.00
November,	3,637.61	7,398.91
December,	4,483.70	8,418.77
	<hr/>	<hr/>
	\$28,249.68	\$72,024.28

MONEYS RECEIVED FROM THE SUPERINTENDENT OF THE
ALLEGHENY COUNTY WORK HOUSE FOR LABOR
OF PRISONERS COMMITTED BY THE COUNTY
COURT IN DEFAULT OF BOND.

July,	3 men,	\$ 17.55	
August,	8 men,	85.80	
September,	11 men,	135.85	
October,	30 men,	376.35	
November,	33 men,	471.90	
December,	42 men,	594.75	
		<hr/>	
	Total,		\$1,682.20

Note: Work House money not received until the second Saturday of the month following. Month of December not included in total for year 1913.

COSTS COLLECTED IN DESERTION AND NON-SUPPORT CASES
FROM JULY 1ST, 1913.

July,	\$69.95	
August,	82.60	
September,	47.54	
October,	81.42	
November,	70.16	
December,	31.41	
	<hr/>	
	Total,	\$383.08
Costs paid to Sheriff,	\$294.72	
Costs paid to Treasurer,	88.36	
	<hr/>	
	Total,	\$383.08

You will observe that of the orders made by the County Court since the present system has been in effect about one half are at present active. Of the other half, reconciliation has been effected between the parties in a great majority of cases. As to the remainder, divorces have been obtained and in not a few instances the husband has fled the jurisdiction of the Court, and as a consequence

we have been unable to enforce the order of the Court. On the whole, however, this is a very favorable showing and results obtained are most gratifying. It is an evidence that this is the most efficient, practical and economical method of enforcing the orders of Court in non-support cases.

The enactment of the law, providing for the commitment to the Work House in default of bond to pay their wives the amount fixed by the Court, has had a good effect on many husbands who have a dreadful fear of imprisonment in that institution, and who would otherwise pay little or no attention to the order of Court.

In fact where the Court has been obliged to commit husbands to enforce its order, the wives have benefited to the extent of almost \$1,700.00 since the law went into effect.

The expense to the county involved by the employment of a clerk to assist in the collection of the non-support money, and the great assistance rendered the Court through the service of your investigator, is more than compensated by the good results obtained.

In conclusion, I am deeply grateful to the Judges for the many courtesies extended and the appreciation they have uniformly shown me in my efforts to discharge the duties of my office.

Respectfully submitted,

Lawrence M. Fagan,

Probation Officer.

January 20th, 1914.

REPORT OF SECRETARY IN DESERTION AND NON-SUPPORT CASES.

From Feb. 1 to Dec. 31, 1913, inclusive.

Cases engaged on,	696
Visits,	2,512
Interviewed—wife,	823
Interviewed—husband,	432
Interviewed—others,	1,524
Phone messages,	515
Letters written,	311
Employment secured for	11
Homes secured for children,	3
Aid furnished by County,	14
Aid furnished by City,	26
Aid furnished by Churches,	4
Aid furnish by physicians,	9
Aid furnished by hospitals	23
Aid furnished legal,	20
Special reports written,	250
Couples reconciled,	88

In addition to the County and City Charities Departments, the following institutions and societies are co-operating in the work of this Department. viz: St. Paul's Orphan Asylum, Kingsley House, Improvement of the Poor, Magee Hospital, Associated Charities, Catholic Charities, Legal Aid Society, Barnabas Home, Tuberculosis League, St. Francis Hospital, Juvenile Court and Pittsburgh Leader.

Respectfully submitted to the Honorable Judges of the County Court.

Augusta M. Grace,
Secretary.